

## **REMARKS**

Reexamination and reconsideration of this application is requested. No claims have been amended. After this Response, Claims 1-25 remain pending in this application. The drawings figures 2, 3, and 4, have been amended to correct minor informalities. No new matter was added. The Applicants believe that Claims 1-25 recite in allowable form, or alternatively are in form for consideration on appeal.

### **Amendments To The Drawings**

Amendments to drawings figures 2, 3, and 4, have been made to correct minor informalities. See attached appendix with three Replacement Sheets that show clean copy of the proposed minor corrections, as described below.

In particular, FIG. 2 previously failed to show a connection between “LAN Hub B” and “Gateway B”. The Applicants have corrected FIG. 2 to add the connection.

FIG. 3 incorrectly showed both items “316” and “318” with label “Network Interface Card A”. The Applicants have correctly relabeled the object pointed to by reference number “318” as “Network Interface Card N”.

FIG. 4 previously showed the reference number “306” to refer to the “Cluster Resource Manager”, while the same reference number is used in FIG. 3 to refer to the “Operating System”. Applicants have corrected the reference number “306” in FIG. 4 to be “304” correctly identifying the Cluster Resource Manager, also as shown in FIG. 3.

Accordingly, the Applicants respectfully request that the Examiner accept the proposed corrections to FIGs. 2, 3, and 4, such that the minor informalities in the drawings are corrected.

### **Rejection Under 35 U.S.C. 102**

The Examiner rejected Claims 1-2, 8-9, 15-18, and 21-23 under 35 U.S.C. §102(e), as being anticipated by Farchmin et al. (U.S. Patent Application Publication No. 2006/0129640).

Farchmin is directed to a method and system for providing information related to a set of automated resources such as a robotic arm that may cooperate in an environment to perform an automated process such as printed circuit board assembly. Farchmin teaches that a specific environment location is associated with the automated process. The locations of resources with respect to the specific location are determined. Farchmin further teaches that when resources are proximate to a specific location, information related to the automated process is provided to the resources. Farchmin also teaches facility communication between distributed resources where location or an attribute akin thereto is used to tag data and to monitor network data for specific required data.

The Applicants would like to first point out that Farchmin does not teach or suggest resource equivalencies as recited for the presently claimed invention. For example, the presently claimed invention states “wherein each resource in a resource equivalency performs substantially identical services as other resources in the resource equivalency, the substantially identical services corresponding to the user specification of resource equivalencies”. Farchmin explicitly states at paragraph [0083] “qualifiers that follow some of the resource type labels are used to distinguish instances of a single resource type where the instance has some characteristic that is different, from a control perspective, than other instances of the same resource type. For example, labels R1a and R1b are used to earmark PCB insertion machines where the "a" and "b" qualifiers indicate that the each of the machines has machine characteristics that are distinct from the other”. As can be seen, Farchmin teaches that resources can be of a same type, but be distinct from one another. In other words, these resources perform different services.

Therefore, Farchmin does not teach or suggest that each resource in a resource equivalency performs substantially identical services as other resources in the resource equivalency. It actually teaches away from such a concept. On the other hand, for example, the Specification as originally filed on page 20, line 109, states “A concept utilized to simplify the relationship specification between resources is that of an equivalency of resources. The idea behind “equivalency” is that when a collection of resources provide the same services, one or more of these resources can be chosen to perform services. Basically, resources that have the same function (such as Network Interface Cards) but are distinct physical entities (e.g., two different physical cards), will be considered as the same, or equivalent, logically. Therefore, if a resource in an equivalency 418 fails, another resource in the equivalency 418 will be chosen to continue the services. Membership in an equivalency 418 can be specified by either statically numerating a membership list, or dynamically through discovery of resources with equivalent attributes.” Also, nowhere does Farchmin teach or suggest that these substantially identical services correspond to the user specification of resource equivalencies.

With respect to Claims 1 and 8, the Examiner states that Farchmin teaches:

Identifying a set of resource equivalencies based on at least one of a user specification of resource equivalencies, and automatic discovery of resource related to the user specification of resource equivalencies (paragraphs [0027-0028, 0090-0092, 0146])

The Applicants respectfully disagree. Paragraphs [0027-0028] of Farchmin merely state:

Hereinafter, unless indicated otherwise, the term "resource" will be used broadly to refer to any equipment required to perform any part of an automated process including a controller, a machine (e.g., drill, mill, insertion machine, dryer, robotic press, etc.), a sensor, an actuator, an I/O rack, a human-machine interface (HMI), etc., or any combination of the above.

It has been recognized that resource location can be employed as an attribute for identifying various types of process information corresponding to an automated process associated with the resource and the specific location. More specifically, resource

location can be employed to automatically provide information useable to configure a resource or group of resources to perform an automated process. The information may be manually useable by an operator to configure the resources to perform the process, may be used automatically to configure the resources to perform the process or may be used automatically to configure the resources to perform part of the process while the operator performs complimentary manual steps to configure other aspects of the resource combination to complete the process.

Farchmin in paragraph [0027] is merely defining the term “resource” and in paragraph [0028] is stating that resource location can be employed to automatically provide information useable to configure a resource or group of resources to perform an automated process. This is not the same as the presently claimed “identifying a set of resource equivalencies... based on at least a user specification of resource equivalencies, and automatic discovery of resource attributes related to the user specification of resource equivalencies...” In other words using resource location as an attribute for identifying various types of process information corresponding to an automated process associated with the resource and the specific location, as taught by Farchmin, is clearly different from the presently claimed invention including identifying a set of resource equivalencies based on at least one of a user specification of resource equivalencies and automatic discovery of resource attributes related to the user specification of resource equivalencies.

Paragraphs [0090-0092] in Farchmin merely discuss in detail the use of resource location for configuring a resource to perform an automated process. Paragraph [0146] of Farchmin merely states that information can be automatically used to configure a sub-set of resource to perform a process or that an operator can configure a resource sub-set.

Also, it should be noted that Farchmin appears to be teaching the importance in a configuration process of tracking and addressing the differences of similar types of resources that are proximately located. See, for example, Farchmin discussing problems it is attempting to solve in the discussions found in paragraphs [0010] to [0012], and [0021] and [0026].

The teachings of the selected citations discussed above may use generally similar terms as the present application such as resource, attribute, automatically, and operator. However, using a resource location so that resources can be configured or having an operator configure resources is completely different than identifying resource equivalencies. Accordingly, since Farchmin is completely silent on the presently claimed “identifying a set of resource equivalencies... based on at least one of a user specification of resource equivalencies, and automatic discovery of resource attributes related to the user specification of resource equivalencies...”, and further since Farchmin appears to be teaching just the opposite objective by highlighting the differences of resources in its configuration process of similar types of resources that are proximately located, it is believed that the presently claimed invention distinguishes over Farchmin for at least these reasons.

The Examiner also states that Farchmin teaches:

storing the set of resource equivalencies in memory, wherein each resource in a resource equivalency performs substantially identical services as other resources in the resource equivalency, the substantially identically services corresponding to the user specification of resource equivalencies (paragraphs [0034, 0041, 0096])

Paragraph [0034] of Farchmin merely mentions a “set of resources” and that a first of the set of resources generates data that is useable by other resources to perform a variety functions. Paragraph [0041] of Farchmin merely states that information related to a set of resources that cooperate in an environment to facilitate a process is stored in a database. Paragraph [0041] of Farchmin also states that the physical location of a first resource is determined and if the first resource is a resource within the set of resources, process information within the database related to the set of resources is identified as a function of the first resource location. Paragraph [0096] of Farchmin merely states that multiple sub-sets of resources can be used to perform a process.

Nowhere do these citations of Farchmin teach or suggest that the identified

resource equivalencies are stored in memory and that each resource within a resource equivalency performs substantially the same service. The Examiner appears to be using these citations because they mention “a set of resources” that cooperate in an environment to facilitate a process. However, “the set of resources” taught by Farchmin is not a resource equivalency as recited for the presently claimed invention. For example, a “set of resources” in Farchmin comprises different resources to perform an automated process. For example, FIG. 1a of Farchmin shows that resource sub-set 24 includes different resources R1a, R2c, R3, R4, and R5a. Each of these resources performs a different function in the automated process. In contrast, a resource equivalency, as recited for the presently claimed invention, includes resources that “perfor[m] substantially identical services as other resources in the resource equivalency, the substantially identical services corresponding to the user specification of resource equivalencies”. Accordingly, the presently claimed invention distinguishes over Farchmin for at least these reasons as well.

The Examiner also states that Farchmin teaches:

selecting at least one resource equivalency from the set of resource equivalencies (paragraphs [0033, 0138]);

selecting at least one resource from the selected resource equivalency (paragraphs [0032, 0120]);

using the selected at least one resource as required by an autonomic computing system to perform at least one service (paragraphs [0035, 0120, 0144]).

Paragraph [0038] of Farchmin merely states:

The invention also includes a method for providing information related to a set of resources that may cooperate in an environment to perform a process, the method comprising the steps of associating a specific environment location with the process, determining the locations of set resources with respect to the specific location and where at least one set resource is proximate the specific location, providing information related to the process.

Nowhere does this paragraph even suggest that at least one resource equivalency

is selected from a set of resource equivalencies. As discussed above, the “set of resources” is not an equivalency set, but a set of resources that each performs a different operation in the automated process. Accordingly, the presently claimed invention distinguishes over Farchmin for at least this reason as well.

Paragraph [0138] of Farchmin merely mentions juxtapositions, which at paragraph [0094] Farchmin states is “how to physically combine” a resource with proximate resources. In particular, paragraph [0138] mentions that an operator can select an appropriate resource juxtaposition. These teachings of Farchmin have nothing to do with a resource equivalency set or selecting a resource equivalency set from a set of resource equivalency sets. Accordingly, the presently claimed invention distinguishes over Farchmin for at least this reason as well.

Paragraph [0032] of Farchmin, merely states a first resource is moved and its location determined. The first resource is then determined to either be or not be part of a set of resources. As discussed above, this set of resources includes resources that perform different functions with respect to an automated process and **not** substantially identical services. If the first resource is part of the resource set process information related to the resource set is identified as a function of the first resource location. This teaching of Farchmin has nothing to do with selecting a resource from a resource equivalency. Accordingly, the presently claimed invention distinguishes over Farchmin for at least this reason as well.

Paragraph [0120] of Farchmin, merely teaches that when a resource located within a facility is turned on its location is determined. The facility map is then accessed to determine if the resource is within a processing zone or associated with a specific automated process and is configured accordingly. Once again, Farchmin is not teaching the selection of a resource from a resource equivalency. The Applicants cannot understand how the Examiner is comparing determining the location of a resource and configuring the resource based on its location with the presently claimed “selecting at least one resource from the selected resource equivalency”. This teaching of Farchmin

has nothing to do with this claim element. Accordingly, the presently claimed invention distinguishes over Farchmin for at least this reason as well.

Paragraph [0035] of Farchmin, merely states that communication is established between a plurality of resources and that a first resource generates data useable by other resources. This is completely irrelevant to using the selected resource from the selected resource equivalently. Farchmin teaches using resources throughout the disclosure, but nowhere does Farchmin teach selecting a resource from a resource equivalency and then using this resource. Accordingly, the presently claimed invention distinguishes over Farchmin for at least this reason as well.

With respect to independent claims 15 and 22, the remarks and arguments made above with respect to independent claims 1 and 8 are also applicable here for where similar language exists. These remarks and arguments will not be repeated.

With respect to independent claims 15 and 22, the Examiner states that Farchmin teaches:

a policy generator, communicatively coupled with the memory, for providing in the memory a representation of a system-wide graph of available actions corresponding with each resource in the autonomic computing system (paragraphs [0108-0109])

an automation engine, communicatively coupled with the resource monitor, with each resource in the autonomic computing system, and with the memory, for providing available actions to at least one available resource in the autonomic computing system, the at least one available resource being selected from at least one available resource represented in the at least one equivalency in order for the autonomic computing system to establish and maintain a desired end state (paragraphs [0033, 0138]).

Paragraph [0108] of Farchmin merely teaches process zones within an area and when a resource is present within a process zone there is a high probability that the resource will be added to the sub-set of resources associated with the process zone. Paragraph [0109] of Farchmin merely teaches that resources can be mobile and the



process zones can be dynamic and depend upon where the resources are gathered. The Applicants cannot understand how the Examiner can compare adding a resource to a zone and having dynamic processing zones to “providing in the memory a representation of a system-wide graph of available actions corresponding with each resource in the autonomic computing system”. Farchmin never mentions creating a system-wide graph of the available actions corresponding to each resource. Assuming arguendo that providing information and juxtaposition information is similar to providing an action, which it is not, Farchmin still does not teach or suggest creating a system-wide graph of these actions. Accordingly, the presently claimed invention distinguishes over Farchmin for at least these reasons as well.

Paragraph [0033] of Farchmin merely teaches “providing information related to a set of resources that may cooperate in an environment to perform a process...associating a specific environment location with the process, determining the locations of set resources with respect to the specific location and where at least one set resource is proximate the specific location, providing information related to the process.” Paragraph [0138] of Farchmin merely mentions juxtapositions, which at paragraph [0094] Farchmin states is “how to physically combine” a resource with proximate resources, as discussed above. Nowhere does Farchmin teach or suggest “...providing available actions to at least one available resource in the autonomic computing system, the at least one available resource being selected from at least one available resource represented in the at least one equivalency in order for the autonomic computing system to establish and maintain a desired end state”, as recited for the presently claimed invention. Accordingly, the presently claimed invention distinguishes over Farchmin for at least this reason as well.

The Applicants respectfully remind the Examiner that a proper rejection under 35 U.S.C. § 102(e) requires that a single reference teach (i.e., identically describe) each and every element of the rejected claims, which Farchmin clearly does not do.<sup>1</sup> Accordingly,

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<sup>1</sup> See MPEP §2131 (Emphasis Added) “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

the present invention distinguishes over Farchmin for at least this reason as well.

Therefore, in view of the foregoing amendments and remarks, Applicants believe that the rejection of Claims 1, 8, 15, and 22 under 35 U.S.C. § 102(e) has been overcome. Claims 2, 9, 16-18, and 23 depend from claims 1, 8, 15, and 22, respectively. Since dependent claims include all of the limitations of their independent claim, claims 2, 9, 16-18, and 23, are believed to also recite in allowable form. Accordingly, the Applicants request that the Examiner withdraw the rejection and allow Claims 1-2, 8-9, 15-18, and 21-23.

### **Rejection Under 35 U.S.C. 103**

The Examiner rejected Claims 3-7, 10-14, 19-20, and 24-25 under 35 U.S.C. §103(a), as being unpatentable over Farchmin et al. (U.S. Patent Application Publication No. 2006/0129640) in view of Hannel et al. (U.S. Patent No. 7,272,625).

The remarks and arguments made above with respect to independent claims 1, 8, 15, and 22 are also applicable here where similar language exists and will not be repeated. These arguments are also equally applicable to dependent claims 19 and 24.

The Examiner correctly states that:

Farchmin does not explicitly disclose:

receiving at least one resource class type specification from a user for an autonomic computing system;

creating at least one grouping of resources of at least one resource class type; creating a filter from a set of attributes that define a required functional attribute of a type of resource corresponding to the resource class type specification received from the user;

removing from the at least one grouping of resources any resource that does not match the filter;

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*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).  
“The identical invention must be shown in as complete detail as is contained in the ... claim.”

the at least one substantially similar service corresponding to the corresponding to the resource class type specification.

However, the Examiner goes on to combine Farchmin with Hannel stating that:

Hannel teaches resource groups organized in a hierarchy according to class type. A table includes the resource's ID, the service it provides, etc. A hidden flag indicates whether the resource should be displayed to users who do not belong to the user group having access to the resource. A filter uses resource descriptions such as IP address and location to determine a resource class (column 30, lines 15-65, column 31, lines 1-60).

Applicants respectfully disagree and suggest that the Examiner is mischaracterizing Hannel with respect to the presently claimed invention. Hannel is directed towards a policy enforcement system that receives a request from a first entity to perform an action on the second entity and permits the action only if policies allow that action.

The Examiner cites Col. 30, lines 15-65 and Col. 31, lines 1-60 of Hannel, which have absolutely nothing to do with, among other things, creating a filter from a set of attributes that define a required functional attribute of a type of resource corresponding to the resource class type specification received from the user.

For example, Hannel is using an access filter to determine if a requested action should or should not be allowed. The access filter uses an IP address of the request to locate a table of class sites. A link in the table is used to locate a table of class site elements. The access filter uses the server IDS obtained from the class site element table to locate tables of class servers. The IP address is used again to locate the table of class servers corresponding to the server specified in the request at hand. The access filter then uses the links from the Server table to the tables of class Services for the service and can use the port number from the request to find the proper Service table.

Once the access service finds the proper Service table, it can follow the links to

the tables of class Resources and locate the Resources table corresponding to the resource in the request. From there, there is a link to a table of class Resource Group Elements which relates resources to the resource group identifiers for the information sets they belong to. The resource group identifiers in turn specify tables of class Resources Group, and these tables have links to tables of class Resource group Tree, from which the hierarchies of resource groups can be determined to which the resource specified in the request belongs. Having done that, access filter has found the resource groups that are relevant for determining whether the request should be granted.

As can be seen, the access filter identifies the resource groups that the resource specified in the request belong to. Nowhere does Hannel teach or suggest that a filter is created and that the filter is created from a set of attributes that define a required functional attribute of a type of resource corresponding to the resource class type specification received from the user. Also, nowhere does Hannel teach or suggest that any resource that does not match the filter is removed from the at least one grouping of resources. Hannel merely teaches that the access filter, which is a filter that determines if actions should be allowed, finds a resource group that is associated with a resource. Nowhere does Hannel teach that a resource is removed from a resource group when that resource does not match the filter. Accordingly, the presently claimed invention distinguishes over Hannel for at least these reasons.

Therefore, in view of the foregoing amendments and remarks, Applicants believe that the rejection of Claims 3 and 10, and 19-20 and 24-25, under 35 U.S.C. § 103(a) has been overcome. Additionally, Claims 4-7, 11-14, depend from claims 3 and 10, respectively, and Claims 19-20 and 24-25 depend from claims 15 and 22, respectively. Since dependent claims include all of the limitations of their independent claim, 4-7, 11-14, 19-20 and 24-25, are believed to also recite in allowable form. Neither Farchmin, Hannel, nor any combination of the two cited references, teaches or suggests the presently claimed invention as recited for Claims 3-7, 10-14, 19-20, and 24-25. Accordingly, the Applicants request that the Examiner withdraw the rejection and allow Claims 3-7, 10-14, 19-20, and 24-25.

### **Conclusion**

The foregoing is submitted as a full and complete response to the Official Action mailed January 2, 2008, and it is suggested that Claims 1-25 are in condition for allowance or alternatively are in form for appeal. Reconsideration of the rejections is requested. Allowance of Claims 1-25 is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

**If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.**

The present application, after entry of this Response With Amendment, comprises twenty-five (25) claims, including six (6) independent claims. Applicants have previously paid for twenty-five (25) claims including six (6) independent claims. Applicants, therefore, believe that an additional fee for claims amendment is currently not due.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account **50-1556**.

Respectfully submitted,

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